

DEPARTMENT OF EDUCATION
SPECIAL EDUCATION PROGRAMS
Newell School District
Accountability Review - Monitoring Report 2012-2013

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Dates of On Site Visit: November 6 and 7, 2012

Date of Report: November 21, 2012

All non-compliance must be corrected within 1 year of this report date.

Date Closed:

Program monitoring and evaluation.

In conjunction with its general supervisory responsibility under the Individuals with Disabilities Education Act, Part B, Special Education Programs (SEP) of the Division of Educational Services and Support shall monitor agencies, institutions, and organizations responsible for carrying out special education programs in the state, including any obligations imposed on those agencies, institutions, and organizations. The department shall ensure:

- (1) That the requirements of this article are carried out;
- (2) That each educational program for children with disabilities administered within the state, including each program administered by any other state or local agency, but not including elementary schools and secondary schools for Native American children operated or funded by the Secretary of the Interior:
 - (a) Is under the general supervision of the persons responsible for educational programs for children with disabilities in the department; and
 - (b) Meets the educational standards of the state education agency, including the requirements of this article; and
- (3) In carrying out this article with respect to homeless children, the requirements of the McKinney-Vento Homeless Assistance Act, as amended to January 1, 2007, are met. (Reference- ARSD 24:05:20:18.)

State monitoring--Quantifiable indicators and priority areas.

The department shall monitor school districts using quantifiable indicators in each of the following priority areas, and using such qualitative indicators as are needed to adequately measure performance in those areas:

- (1) Provision of Free Appropriate Public Education (FAPE) in the least restrictive environment;
 - (2) Department exercise of general supervision, including child find, effective monitoring, the use of resolution meetings, mediation, and a system of transition services as defined in this article and article 24:14; and
 - (3) Disproportionate representation of racial and ethnic groups in special education and related services, to the extent the representation is the result of inappropriate identification. (Reference-ARSD 24:05:20:18:02.)
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State enforcement -- Determinations.

On an annual basis, based on local district performance data, information obtained through monitoring visits, and other information available, the department shall determine whether each school district meets the requirements and purposes of Part B of the IDEA...

Based upon the information obtained through monitoring visits, and any other public information made available, Special Education Programs of the Division of Educational Services and Support determines if the agency, institution, or organization responsible for carrying out special education programs in the state:

- Meets the requirements and purposes of Part B of the Act;
- Needs assistance in implementing the requirements of Part B of the Act'
- Needs intervention in implementing the requirements of Part B of the Act; or
- Needs substantial intervention in implementing the requirements of Part B of the Act. (Reference-ARSD 24:05:20:23.04.)

Deficiency correction procedures.

The department shall require local education agencies to correct deficiencies in program operations that are identified through monitoring as soon as possible, but not later than one year from written identification of the deficiency. The department shall order agencies to take corrective actions and to submit a plan for achieving and documenting full compliance. (Reference-ARSD 24:05:20:20.)

GENERAL SUPERVISION / STATE PERFORMANCE PLAN COMPLIANCE INDICATOR

ARSD 24:05:27:01.03. Content of individualized education program. Each student's individualized education program shall include:

- (1) A statement of the student's present levels of academic achievement and functional performance, including:
 - (a) How the student's disability affects the student's involvement and progress in the general education curriculum (i.e., the same curriculum as for nondisabled students)
- (3) A statement of the special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the student, or on behalf of the student, and a statement of the program modifications or supports for school personnel that will be provided to enable the student:
 - (a) To advance appropriately toward attaining the annual goals;
 - (b) To be involved and make progress in the general education curriculum in accordance with this section and to participate in extracurricular and other nonacademic activities; and
 - (c) To be educated and participate with other students with disabilities and nondisabled students in the activities described in this section;
- (4) An explanation of the extent, if any, to which the student will not participate with nondisabled students in the regular class and in activities described in this section;

Corrective Action:

Prong 1: Correct each individual case of noncompliance		
Timeline for Completion: 45 calendars day from the report date listed above.		
Student:	Required Action:	Data To Be Submitted:
Student File #1: This student was reported on child count under the category of Autism (560). 1. The special education and related services	The district must meet and amend the students IEP. 1. Special education and related services must address the students specialized instruction needs individually in the areas of reading, language and	Submit a copy of the following: 1. Meeting notice 2. Amended documents 3. Parental prior written notice

<p>to be provided did not provide a clear picture of the districts commitment of services to be provided to the student.</p> <p>2. The justification for placement did not describe the instructional needs of the student that resulted in the team's decision to remove the student from the general education setting.</p>	<p>behavior.</p> <p>2. Based upon the amount of time the student is removed from their peers above, the team must develop a justification statement that indicates the student's instructional needs resulting in the team's decision.</p>	
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Date Data Submitted:

Status:

Student:	Required Action:	Data To Be Submitted:
<p>Student File #2: This student was reported on child count under the category of Specific Learning Disability (525).</p> <p>1. The present level of performance did not effectively describe how the disability affected the student's progress/involvement in the general education curriculum.</p> <p>2. The special education and related services to be provided did not provide a clear picture of the districts commitment of services to be provided to the student.</p>	<p>The district must meet and amend the students IEP.</p> <p>1. The progress/involvement in the general curriculum statement must be amended to describe how the disability presents itself in the general classroom that result in the student's inability to successfully access the general curriculum.</p> <p>2. Special education and related services must address the students specialized instruction needs individually in the areas of Oral expression, listening comprehension, reading (fluency and comprehension), math and articulation.</p>	<p>Submit a copy of the following:</p> <ol style="list-style-type: none"> 1. Meeting notice 2. Amended documents 3. Parental prior written notice

Date Data Submitted:

Status:

Student:	Required Action:	Data To Be Submitted:
<p>Student File #3: This student was reported on child count under the category of Hearing Impairment (515).</p> <p>1. The justification for placement did not describe the instructional needs of the student that resulted in the team's decision to remove the student from the general education setting.</p>	<p>The district must meet and amend the students IEP.</p> <p>1. Based upon the amount of time the student is removed from their peers, the team must develop a justification statement that indicates the student's instructional needs resulting in the team's decision.</p>	<p>Submit a copy of the following:</p> <ol style="list-style-type: none"> 1. Meeting notice 2. Amended documents 3. Parental prior written notice

Date Data Submitted: Status:

Student:	Required Action:	Data To Be Submitted:
<p>Student File #6: This student was reported on child count under the category of Multiple Disability (530).</p> <ol style="list-style-type: none"> 1. The present level of performance did not effectively describe how the disability affected the student's progress/involvement in the general education curriculum. 2. The special education and related services to be provided did not provide a clear picture of the districts commitment of services to be provided to the student. 	<p>The district must meet and amend the students IEP.</p> <ol style="list-style-type: none"> 1. The progress/involvement in the general curriculum statement must be amended to describe how the disability presents itself in the general classroom that result in the student's inability to successfully access the general curriculum. 2. Special education and related services must address the students specialized instruction needs individually in the areas of written expression, math, reading and behavior. 	<p>Submit a copy of the following:</p> <ol style="list-style-type: none"> 1. Meeting notice 2. Amended documents 3. Parental prior written notice
Date Data Submitted: Status:		

Student:	Required Action:	Data To Be Submitted:
<p>Student File #7: This student was reported on child count under the category of Developmental Delay (570).</p> <ol style="list-style-type: none"> 1. The special education and related services to be provided did not provide a clear picture of the districts commitment of services to be provided to the student. 	<p>The district must meet and amend the students IEP.</p> <ol style="list-style-type: none"> 1. Special education and related services must address the students specialized instruction needs individually in the areas of cognitive and articulation. 	<p>Submit a copy of the following:</p> <ol style="list-style-type: none"> 1. Meeting notice 2. Amended documents 3. Parental prior written notice
Date Data Submitted: Status:		

Student:	Required Action:	Data To Be Submitted:
<p>Student File #8: This student was reported on child count under the category of speech/Language Impairment (550).</p> <ol style="list-style-type: none"> 1. The special education and related services to be provided did not provide a clear 	<p>The district must meet and amend the students IEP.</p> <ol style="list-style-type: none"> 1. Special education and related services must address the students specialized instruction needs individually in the areas of articulation and behavior. 	<p>Submit a copy of the following:</p> <ol style="list-style-type: none"> 1. Meeting notice 2. Amended documents 3. Parental prior written notice

<p>picture of the districts commitment of services to be provided to the student.</p> <p>2. The justification for placement did not describe the instructional needs of the student that resulted in the team's decision to remove the student from the general education setting.</p>	<p>2. Based upon the amount of time the student is removed from their peers above, the team must develop a justification statement that indicates the student's instructional needs resulting in the team's decision.</p>	
<p>Date Data Submitted:</p> <p>Status:</p>		

<p><u>Prong 2: Correctly implement the specific regulatory requirements (i.e. achieved 100% compliance), based on the SEA's review of updated data.</u></p>
<p>Required Action:</p> <p>The district must review and update its policy, procedure and practice regarding the following:</p> <ul style="list-style-type: none"> Developing an IEP that provides educational benefit.
<p>Data To Be Submitted:</p> <p>Each special education teacher and speech pathologist must submit the following:</p> <ol style="list-style-type: none"> A copy of <u>one IEP</u> developed since the on-site review.
<p>Target Date for Completion: May 1st, 2013</p>
<p>Date - Status Report:</p>

State Performance Plan – Performance Indicators

Indicator 5 – Placement of Children Age 6-21

Percent of children with IEPs aged 6 through 21:

- A. inside the regular class 80% or more of the day inside the regular class 80% or more of the day;
- B. inside the regular class less than 40% of the day; or
- C. Served in public or private separate schools, residential placements, or homebound or hospital placements.

<p>State Target: 66%</p> <p>District %: 67.35%</p> <p>District Response:</p> <p>The Newell School District strives to meet children's diverse needs in the classroom. We provide inclusion staff in many classes and try to work with the students in the classroom. We currently have many Para-professionals that help us attain and achieve these standards. We also have great educators that are</p>

able to assist with modifications and/or accommodations within the classroom to help better ensure that our students with disabilities can be with their same-age peers, and most importantly, be successful.

State Target: 3.80%

District %: 12.24

District Response:

The Newell School has a high number of students with disabilities that require more hands-on, one to one staffing or more intense and specialized education. In our smaller district, one or two families with many children with high needs can put us over the allotted target for our district quite quickly. In our district children with more profound needs, if they cannot be met “in-house”, are transported to services in surrounding communities through programs such as Black Hills special Services Cooperative and Northern Hills Training Center.